

Notice of Allowability

Application No.

09/942,120

Examiner

William L. Miller

Applicant(s)

HASHIDA ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE and amendment received 12-23-2003.
2. ☒ The allowed claim(s) is/are 1-10 and 13-20.
3. ☒ The drawings filed on 30 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 03312004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

William L. Miller
Primary Examiner
Art Unit: 3677

EXAMINER'S AMENDMENT

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12-23-2003 has been entered.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James McKeown on 03-31-2004.

The application has been amended as follows:

In the claims:

Claim 1, line 11 – after “mechanism” insert --only in a corner thereof--;

Claim 1, line 12 – change “only in a” to --, the--;

Claim 1, line 13 – change “at” to --and--;

Claim 1, line 15 – before “within” insert --being located--;

Claim 3, line 2 – change “an inside” to --the--;

Claim 4, line 4 – change “a” to --the--;

Claim 5, line 3 – delete “inside”;

Claim 10, line 4 – change “the” to --a--;

- Claim 10, line 8 – change “retainer” to --retaining member--;
- Claim 10, line 11 – change “retainer” to --retaining member--;
- Claim 10, line 12 – change second recitation of “a” to --the--;
- Claim 10, line 15 – change “stress-relieving” to --stress reduction--;
- Claim 10, line 19 – delete second recitation of “at”;
- Claim 10, line 20 – change “retainer” to --retaining member-- and change first recitation of “a” to --the--;
- Claim 13, line 1 – after “fuel” insert --pump--;
- Claim 13, line 4 – change “flexible” to --sealing--;
- Claim 13, line 5 – change “flexible” to --sealing--;
- Claim 14, line 1 – after “fuel” insert --pump--;
- Claim 14, line 2 – change “an inside” to --the--;
- Claim 15, line 1 – after “fuel” insert --pump--;
- Claim 15, line 4 – change “flexible” to --sealing-- and change “a” to --the--;
- Claim 16, line 1 – after “fuel” insert --pump--;
- Claim 16, line 3 – change “flexible” to --sealing-- and delete “inside”;
- Claim 17, line 1 – after “fuel” insert --pump--;
- Claim 17, line 3 – change “flexible” to --sealing--;
- Claim 18, line 1 – after “fuel” insert --pump--;
- Claim 19, line 1 – after “fuel” insert --pump--;
- Claim 19, line 2 – change “flexible” to --sealing--; and
- Claim 20, line 1 – after “fuel” insert --pump--.

The following is an examiner's statement of reasons for allowance: Regarding claims 1 and 10, and as argued by the applicant, Pauler and Villanyi et al., respectively, fail to disclose or suggest the stress reduction mechanism being provided only at a corner of the retaining member on the side exposed to the pressurized fluid. It would not have been obvious to one of ordinary skill in the art to modify Pauler and Villanyi et al. such that the stress reduction mechanism was provided only at a corner of the retaining member on the side exposed to the pressurized fluid.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is 703 305 3978. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

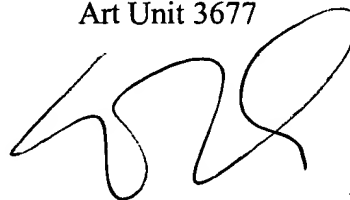
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William L. Miller
Primary Examiner
Art Unit 3677

WLM
03-31-2004

A handwritten signature in black ink, appearing to be 'WLM', written over the printed name of William L. Miller.